

PATENT

Docket No.: SSL0093-1 US PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Francoise Bono, et al.

Examiner: Jarrell, Noble E.

Serial No.: 10/516,704

Art Unit: 1609

Filed: December 2, 2004

Certificate of Transmission

Title: **Piperazinylacylpiperidine Derivatives,
Their Preparation and Therapeutic Use
Thereof**

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Commissioner for Patents
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Alexandria, VA 22313-1450

Response to Restriction/Election Requirement Under 35 U.S.C. § 121 and 372

Sir:

This is in response to the Office Action, dated, June 28, 2007, having a response due by July 28, 2007 in the above-identified patent application. It is respectfully requested that the following provisional election, and the remarks be entered in this case.

PROVISIONAL ELECTION:

Applicants provisionally elect with traverse the invention Group II, claims 1-6, 10 and 14-21, drawn to compounds and compositions of formula (I) wherein variable R₄ is pyrazine.

Provisional Election of Species

Applicants provisionally elect with traverse a sub-generic species falling within the scope of invention Group II to be a compound of formula (I), wherein R₄ is pyrazine. A single compound within the scope of this sub-generic species is compound no. 28 found in Table 1 in the specification at page 59, lines 29-31. Please note that all of elected claims 1-6, 10 and 14-21 read on this elected subgeneric species.